



U.S. Department of Justice

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July 3, 2008

The Honorable Patti B. Saris  
United States District Judge  
United States District Court for the  
District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2300  
Boston, MA 02210

Re: *In re Pharmaceutical Industry Average Wholesale Price Litigation*, MDL  
No. 1456, relating to *United States ex rel. Ven-A-Care of the Florida Keys,*  
*Inc. v. Dey, Inc., et al.*, Civil Action No. 05-11084-PBS

Dear Judge Saris:

I write with the consent of the defendants Dey, Inc., Dey L.P., Inc., and Dey L.P. ("Dey") in response to your direction at the June 18, 2008, hearing that the United States and Dey confer and provide the Court with a status report on mediation proceedings. The United States and Dey have conferred and contacted mediator Eric Green. The parties have scheduled a two-day mediation session on September 18-19, 2008. The parties will report to the Court after the session.

Sincerely,

A handwritten signature in black ink, appearing to read "George B. Henderson, II".

George B. Henderson, II  
Assistant U.S. Attorney

cc: Paul F. Doyle, Esq.  
Neil Merkl, Esq.  
Laurie A. Oberembt, Esq.  
James J. Breen, Esq.